

## TABLE OF CONTENTS

1.	REAL PARTY IN INTEREST .....	1
2.	RELATED APPEALS AND INTERFERENCES.....	2
3.	STATUS OF CLAIMS .....	2
4.	STATUS OF AMENDMENTS .....	2
5.	SUMMARY OF CLAIMED SUBJECT MATTER .....	2
6.	GROUND OF REJECTION TO BE REVIEWED ON APPEAL .....	3
7.	GROUPING OF CLAIMS.....	4
8.	ARGUMENT .....	4
I.	PRESENT INVENTION.....	4
II.	GENERAL LAW ON OBVIOUSNESS .....	6
III.	A <i>PRIMA FACIE</i> CASE HAS NOT BEEN PRESENTED WITH RESPECT TO INDEPENDENT CLAIMS 1, 22 AND 161 WITH RESPECT TO REJECTION No. 1.....	7
A.	The Problems Of “Fixing” Color Are Known To Those Of Ordinary Skill In The Art.....	8
B.	The Applied References Of Shaklai, Koch, Woodruff And Verbruggen Do Not Teach Or Suggest That The Use Of CO Turns Meat Pigment Brown In A Natural Time Period.....	9
i.	Shaklai Teaches That CO “Fixes” The Color Of The Meat Pigment (i.e., Extends Color Life) .....	10
ii.	Koch Does Not Teach Or Suggest That The Use Of CO Turns Meat Pigment Brown In A Natural Time Period .....	12
iii.	Woodruff Does Not Teach Or Suggest That The Use Of CO Turns Meat Pigment Brown In A Natural Time Period .....	13
iv.	Verbruggen Does Not Teach Or Suggest That The Use Of CO Turns Meat Pigment Brown In A Natural Time Period .....	14
IV.	A <i>PRIMA FACIE</i> CASE HAS NOT BEEN PRESENTED WITH RESPECT TO INDEPENDENT CLAIMS 1, 22 AND 161 WITH RESPECT TO REJECTION No. 2.....	15

A.	The Problems Of “Fixing” Color Are Known To Those Of Ordinary Skill In The Art.....	16
B.	The Applied References Of Shaklai, Koch, Woodruff And Verbruggen Do Not Teach Or Suggest That The Use Of CO Turns Meat Pigment Brown In A Natural Time Period.....	16
i.	Shaklai Teaches That CO “Fixes” The Color Of The Meat Pigment (i.e., Extends Color Life) .....	17
ii.	Koch Does Not Teach Or Suggest That The Use Of CO Turns Meat Pigment Brown In A Natural Time Period .....	17
iii.	Woodruff Does Not Teach Or Suggest That The Use Of CO Turns Meat Pigment Brown In A Natural Time Period .....	17
iv.	Verbruggen Does Not Teach Or Suggest That The Use Of CO Turns Meat Pigment Brown In A Natural Time Period .....	17
V.	EVIDENCE OF NON-OBVIOUSNESS OF INDEPENDENT CLAIMS 1, 22 AND 161.....	18
A.	CO Not Allowed With Fresh Meat In The United States Since At Least 1962.....	18
B.	CO Now Allowed In Pactiv’s Improved ActiveTech® Meat-Packaging System .....	19
C.	The Pactiv Improved ActiveTech® Meat-Packaging System and Process Using CO Address a Long-Felt Need .....	21
D.	The Pactiv Improved ActiveTech® Meat Packaging System and the Process of Using the Same is Commercially Successful .....	22
9.	CONCLUSION.....	26
10.	RELATED PROCEEDINGS APPENDIX.....	27
11.	APPENDIX OF CLAIMS ON APPEAL.....	28
12.	EVIDENCE APPENDIX.....	34